

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1360**

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**Introduced by Assembly Member Ting**

February 27, 2015

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An act to amend Section 5401 of the Public Utilities Code, relating to charter-party carriers of passengers.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1360, as amended, Ting. Charter-party carriers of passengers: individual fare exemption.

The Passenger Charter-Party Carriers' Act generally requires charges for transportation offered or afforded by a charter-party carrier of passengers to be computed and assessed on a vehicle mileage or time-of-use basis, rather than on an individual-fare basis, subject to certain exemptions.

This bill would also exempt from these provisions a rideshare program operated by a transportation network company that arranges a ride on a prearranged route among multiple passengers who share the ride in whole or in part, provided that the vehicle seats no more than 7 persons, including the driver, is operated by a participating driver, as defined, *is not used to provide public transit services or carry passengers over a fixed route, and is not used to provide pupil transportation services or public paratransit services*, and the fare for each passenger is less than the fare that would be charged to a single passenger traveling alone.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 5401 of the Public Utilities Code is amended to read:

5401. Charges for the transportation to be offered or afforded by a charter-party carrier of passengers shall be computed and assessed on a vehicle mileage or time of use basis, or on a combination thereof. These charges may vary in accordance with the passenger capacity of the vehicle, or the size of the group to be transported. However, no charter-party carrier of passengers shall, directly or through an agent or otherwise, nor shall any broker, contract for, agree to, or demand or receive compensation in an amount, or arrange to charge an amount, for the transportation offered or afforded, that shall be computed on an individual-fare basis, except as follows:

(a) Schoolbus contractors who are compensated by parents of children attending public, private, or parochial schools.

(b) Operators of round-trip sightseeing tour services conducted under a certificate subject to Section 5371.1, or a permit issued pursuant to subdivision (c) of Section 5384.

(c) A rideshare program operated by a transportation network company subject to this chapter that arranges a ride on a prearranged route among multiple passengers who share the ride in whole or in part, provided that ~~(1) the~~ *all of the following requirements are met:*

*(1) The vehicle seats no more than seven persons, including the driver, (2) the driver.*

*(2) The driver is a participating driver as defined in subdivision (b) of Section 5431, and (3) the 5431.*

*(3) The vehicle is not used to provide public transit services or to carry passengers over a fixed route.*

*(4) The vehicle is not used to provide pupil transportation services.*

*(5) The vehicle is not used to provide public paratransit services.*

*(6) The individual fare for each passenger is less than the fare that would be charged for the same ride to a single passenger traveling alone.*

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